

REGULAR MEETING

April 13, 1998

The Regular Meeting of the Annapolis City Council was held on April 13, 1998 in the Council Chamber. Mary Prehn rang the bell to denote the 7:30 p.m. start time for the meeting. Mayor Johnson called the meeting to order at 7:30 p.m.

Present on Roll Call: Mayor Johnson, Aldermen Hammond, Tolliver, Gilmer, Sachs, McMillan, Carter, Fox

Alderman Moyer arrived at 7:38 p.m.

Staff Present: City Administrator Chitwood, City Attorney Goetzke, Public Works Director Patmore, Finance Director Sulick, Planning and Zoning Director Arason, Central Services Officer Harrison, Fire Chief Sherlock, Recreation and Parks Director Callahan

Alderman Gilmer moved to approve the Minutes of March 8, 1998 and March 23, 1998. Seconded. CARRIED on voice vote.

STATE OF THE CITY ADDRESS

Mayor Johnson gave the State of the City address.

MAYOR'S FY99 BUDGET PRESENTATION

City Administrator Chitwood presented the Mayor's FY99 Budget.

SPECIAL ORDER OF BUSINESS

FY99 BUDGET LEGISLATION

CA-4-98 For the purpose of amending the Charter of the City of Annapolis to reorganize various departments; to create the Office of the City Administrator; to eliminate the Central Services Department; to reassign certain duties and responsibilities within and among departments and personnel; to alter the names of certain other departments and department directors; and all matters generally related to a reorganization of certain departments and personnel of the City of Annapolis.

Alderman Gilmer moved to adopt CA-4-98 on first reading. Seconded. CARRIED on voice vote.

Referred to the Finance and Rules and City Government Committees.

O-22-98 For the purpose of adopting an operating budget for the City of Annapolis for the fiscal year 1998-1999, beginning July 1, 1998 and ending June 30, 1999; to appropriate funds for expenditures for the fiscal year beginning July 1, 1998 and ending June 30, 1999; and all matters generally relating to said budget.

Alderman Hammond moved to adopt O-22-98 on first reading. Seconded. CARRIED on voice vote.

Referred to the Finance Committee.

- O-23-98** For the purpose of levying and imposing a property tax rate for the Fiscal Year beginning July 1, 1998 and ending on June 30, 1999, for the purpose of defraying all expenses and liabilities of the City of Annapolis and levying same for the purposes specified; providing for repayment of bonds and other indebtedness; specifying certain duties of the Director of Finance, specifying a rate of interest to be charged upon overdue property taxes; and all matters relating to said property tax rate.

Alderman Hammond moved to adopt O-23-98 on first reading. Seconded.
CARRIED on voice vote.

Referred to the Finance Committee.

- O-28-98** For the purpose of establishing the Office of the City Administrator; transferring the City Attorney and City Clerk to the Office of the City Administrator; and all matters relating to said Office of the City Administrator.

Alderman Hammond moved to adopt O-28-98 on first reading. Seconded.
CARRIED on voice vote.

Referred to the Finance Committee.

- R-11-98** For the purpose of adopting a capital improvement budget for the Fiscal Year 1999, and a capital improvement program for the six year period from July 1, 1998 to June 30, 2004; and all matters relating to said budget and program.

For introduction purposes only.

Referred to the Finance Committee.

PETITIONS, REPORTS AND COMMUNICATIONS

1. Louise Beauregard
Christian Services, USA
2 Maryland Avenue
Annapolis, Md. 21401

Spoke regarding a local food establishment.

2. Jeffrey E. McFadden, Esquire
2445 M Street, NW
Washington, D.C. 20037-1420

Spoke regarding Resolution R-13-98.

3. Jerome I. Feldman, Esquire
900 Bestgate Road, Suite 104
Annapolis, Md. 21401

Spoke regarding Resolution R-13-98.

LEGISLATIVE ACTION

CHARTER AMENDMENTS

CA-2-98 For the purpose of amending the Charter of the City of Annapolis to revise the general powers and duties of the City Council relative to appeals from the decisions of the Port Wardens.

Alderman Hammond moved to adopt CA-2-98 on first reading. Seconded.
CARRIED on voice vote.

Referred to the Rules and City Government Committee.

ORDINANCES

O-18-98 For the purpose of authorizing a lease of certain municipal property located in the general harbor and Dock Street area to Whitbread Chesapeake, Inc., body corporate, for a certain period of time, subject to certain terms, provisions, and conditions, for the purpose of conducting sailboat race festivities; and all matters relating to said lease.

Alderman Gilmer moved to adopt O-18-98 on second reading. Seconded.

The Economic Matters Committee reported favorably with revisions on O-18-98.

Alderman Gilmer moved to substitute O-18-98 Revised for O-18-98. Seconded.
CARRIED on voice vote.

Following discussion, Alderman McMillan moved to accept the fiscal impact note originally submitted for the shorter period of time in lieu of the one as required for the longer period of time. Seconded. CARRIED on voice vote.

Alderman Hammond moved to amend O-18-98 as follows:

Amendment No. 1:

(1) On page 10, lines 24 and 25, remove the strike-out on the language "required by the Director of Public Works in his sole discretion".; and

(2) On page 15, lines 1 through 4, add the following:

Lee Tawney, Secretary
Whitbread Chesapeake, Inc.
c/o City Hall, Suite 205
100 N. Holiday Street
Baltimore, MD 21202
Daytime Phone No. 410-396-4873; and

(3) On Exhibit C of the Lease, under "Entertainment" on Saturday, May 2, 1998, strike "10:00 p.m." and insert "8:15 p.m." and entitle Exhibit C "Whitbread Village Entertainment - Hours of Operation".

Seconded. CARRIED on voice vote.

The main motion, as amended, CARRIED on voice vote.

Alderman Moyer moved to adopt O-18-98 Revised/Amended on third reading. Seconded. CARRIED on voice vote.

- O-1-98** For the purpose of authorizing the lease renewal of certain municipal property located at the City Dock to Captain Paul's Charters, for a certain period of time, at a certain rental and under certain terms and conditions, for the purpose of docking and mooring a certain boat; and all matters relating to said lease.

Alderman Sachs moved to adopt O-1-98 on first reading. Seconded. CARRIED on voice vote.

Referred to the Economic Matters Committee.

- O-11-98** For the purpose of repealing in its entirety, Sec. 2.44.040, "Transportation advisory board"; creating a Transportation Commission; establishing its membership, duties, powers, and responsibilities; changing references throughout the Code to reflect the change from "Transportation Advisory Board" to "Transportation Commission"; and all matters relating to said Transportation Commission.

Alderman Sachs moved to adopt O-11-98 on first reading. Seconded. CARRIED on voice vote.

Referred to Rules and City Government Committee and Public Safety Committee.

- O-13-98** For the purpose of authorizing the lease of certain municipal property located at the City Dock to Chesapeake Bay Foundation, Inc., for calendar year 1998, for the purpose of docking and mooring the vessel known as "Stanley Norman"; and all matters relating to said lease.

Alderman Sachs moved to adopt O-13-98 on first reading. Seconded. CARRIED on voice vote.

Referred to the Economic Matters Committee.

- O-19-98** For the purpose of increasing the membership of the Recreation Advisory Board from nine to eleven members; and all matters relating to said membership.

Alderman Hammond moved to adopt O-19-98 on first reading. Seconded. CARRIED on voice vote.

Referred to Rules and City Government Committee.

- O-21-98** For the purpose of establishing a zoning classification of R3, General Residence District, for the property lying near Forest Drive and Newtowne Drive, contiguous to the existing boundary of the City of Annapolis, known as the Fischer Property; and all matters relating to said zoning map amendment.

Alderman Hammond moved to adopt O-21-98 on first reading. Seconded. CARRIED on voice vote.

- O-27-98** For the purpose of authorizing and empowering the City of Annapolis to issue and sell, upon its full faith and credit, Nineteen Million Four Hundred Twenty-Five Thousand Dollars (\$19,425,000) maximum aggregate principal amount of its serial maturity general obligation, fully registered bonds, pursuant to the authority of Sections 31 through 37, inclusive, of Article 23A of the Annotated Code of Maryland (1996 Replacement Volume and 1997 Supplement), as amended, Section 24 of Article 31 of the Annotated Code of Maryland (1997 Replacement Volume and 1997 Supplement) and Article VII, Section 11, of the Charter of the City of Annapolis, as amended, to be designated as "Public

Improvements and Refunding Bonds, 1998 Series”, said bonds to be issued and sold for the public purpose of financing certain capital projects and refunding all or a portion of the City of Annapolis Public Improvements Bonds, 1987 Refunding Series, Public Improvements Bonds, 1988 Series and Public Improvements Bonds, 1991 Series, as provided in this Ordinance; prescribing the form and tenor of such bonds and determining others matters relating to the issuance and sale thereof including the forms of a notice of sale to be published and proposal to be used in connection with the public sale of said bonds; providing for the disbursement of the process of said bonds; authorizing the preparation and distribution of a preliminary official statement in connection with the sale of said bonds; providing that the proceeds of said bonds or any moneys which may be deemed to be process, will not be used in a manner which would cause said bonds to be arbitrage bonds; appointing a paying agent and registrar for said bonds; covenanting to levy and collect all taxes necessary to provide for the payment of the principal of and interest on said bonds; and generally relating to the issuance, sale and delivery of all said bonds.

Alderman Sachs moved to adopt O-27-98 on first reading. Seconded. CARRIED on voice vote.

Referred to the Finance Committee.

RESOLUTIONS

R-13-98 For the purpose of providing written consent by the City of Annapolis to the proposed assignment to Thomas Gannon and Judith Gannon by Dale Chalker, trading as Chutney’s Gourmet, Inc., of its lease with the City of Annapolis for certain space in the Markethouse as required by said lease; and all matters relating to said assignment of lease.

Alderman Hammond moved to adopt R-13-98. Seconded.

Following discussion, R-13-98 was referred to the Economic Matters Committee.

R-14-98 For the purpose of authorizing and providing for the issuance, sale and delivery by the City of Annapolis, Maryland (the “City”) of its revenue bonds (the “Bonds”) pursuant to the provisions of the Maryland Economic Development Revenue Bond Act or such other statutory authority as may be effective when such revenue bonds are issued, in order to lend or otherwise make available the proceeds thereof to St. John’s College, a Maryland not-for-profit educational corporation (the “Borrower”), for the purpose of (a) refunding the outstanding principal of the City’s Economic Development Revenue Bonds (St. John’s College Facility) 1992 Series, (b) financing and refinancing the costs of acquisition, construction and equipping by the Borrower of certain facilities, including (i) the reimbursement of certain prior capital expenditures of the Borrower consisting primarily of renovations and improvements to the Beneficial-Hodson Boathouse, Mellon Hall, McDowell Hall, the Pinkney Hall Dormitory the President’s House, the Hall of Records (Greenfield Library) and the Barr-Buchanan Center, (ii) acquisition of capital equipment, including a campus-side computer system and telephone system, and (iii) general grounds, building and facility maintenance and improvements, all located on the Borrower’s main campus n the City of Annapolis, Maryland (the “1998 Project” or the “Facilities”), which may include land, interests in land, buildings, structures, machinery, equipment, furnishings or other real pr personal property located on the same sites as the 1998 Project, (c) funding a debt service reserve fund, if any, for the Bonds, and (d) paying certain costs of issuing the Bonds; authorizing the acceptance of a letter of intent as evidence of the present intent of the City

to issue such revenue bonds, providing that the principal amount of such revenue bonds and the interest thereon (a) shall be payable solely from the revenues to be received from the Borrower in connection with the financing of such facilities and from any other moneys made available to the City for such purpose and (b) shall never constitute an indebtedness or a charge against the full faith and credit or taxing powers of the City and shall never constitute or give rise to any pecuniary liability of the City; providing that the maximum aggregate principal amount of revenue bonds that may be issued may not exceed \$8,000,000; and generally providing for and determining various matters in connection with the authorization, issuance, sale and delivery of such revenue bonds and the consummation of the transactions contemplated by this Resolution.

For introduction purposes only.

Referred to the Finance Committee.

BUSINESS AND MISCELLANEOUS

1. Collective Bargaining Agreement
Annapolis Clerical & Technical Employees (Local 3162)

Referred to the Finance Committee.

2. Housing and Community Development Committee's Recommendations for Action dated March 24, 1998

Alderman Gilmer moved to adopt the Housing and Community Development Committee's Recommendations for Action dated March 24, 1998. Seconded. CARRIED on voice vote.

3. Finance Committee Recommendations for Action dated March 26, 1998

Alderman Sachs moved to adopt the Finance Committee Recommendations for Action dated March 26, 1998. Seconded. CARRIED on voice vote.

4. Payment of Monthly Bills

Alderman Sachs moved to pay the monthly bills. Seconded. CARRIED on voice vote.

5. Appointments

Alderman Gilmer moved to confirm the Mayor's appointments/reappointments of the following named persons as set forth in Memoranda from Mayor Johnson dated April 2, 1998:

Annapolis Conservancy Board:	James F. Baldwin
Recreation Advisory Board:	Nancy Lowry

Seconded. CARRIED on voice vote.

Upon motion duly made, seconded and adopted, the meeting was adjourned at 9:50 p.m.

**Patricia L. Bembe, CMC/AAE
City Clerk**